

for this bill, and wholeheartedly support this legislation. And I ask my colleagues to vote in favor of it today.

Mr. ANDREWS. Mr. Speaker, I rise today in strong support of H. Con. Res. 81, a resolution which condemns the crackdown on political dissidents that was orchestrated by the regime of Fidel Castro two years ago. Through this remarkable violation of human rights, the Cuban government arrested more than 75 journalists, labor union organizers, civic leaders, librarians, and human rights activists, and took them as political prisoners. On this occasion, it is important that we keep in mind the struggle in which our brothers and sisters in Cuba continued to be engaged—that is, the struggle for freedom and true democracy.

One of the many dissenters arrested in March 2003 was Mr. Jose Daniel Ferrer Garcia, a pro-democracy activist in Cuba who has been jailed for his outspoken leadership in the Cuban democracy movement. Mr. Garcia is the regional coordinator for the Christian Liberation Movement in Santiago Province. Through this leadership position, he has mobilized many Cuban youth for democratic change, and has focused on accomplishing the movement's chief objective: to unite citizens that are willing to defend and promote human rights and achieve changes in the Cuban society through peaceful means. Because of the efforts of determined individuals such as Mr. Garcia, the struggle for democracy in Cuba continues, and we should keep this in mind when considering any potential changes in United States policy towards Castro's regime.

Mr. Speaker, I ask that all of my colleagues in the House of Representatives join me in supporting H. Con. Res. 81, and continue to voice their solidarity with Mr. Garcia and all other pro-democracy activists in Cuba as they continue their push for true freedom.

Mr. MENENDEZ. Mr. Speaker. A todos mis hermanos y hermanas quienes sufren en las cárceles de Castro bajo su régimen, a sus familias y amistades aquí en los Estados Unidos y en Cuba, les digo que el pueblo americano está con ustedes. Y, aquí en el Congreso de los Estados Unidos, vamos a defender su libertad y ganar la lucha contra la brutalidad y la opresión.

Por eso, junto con mis otras colegas en el Congreso, escribí esta resolución que condena la ola represiva contra los disidentes que hizo la régimen Castro hace dos años y que declara que la gente cubana debe tener los derechos humanos y la libertad—la libertad de expresión y de asociación—y el derecho de tener elecciones libres.

To all my friends here today who don't speak Spanish, don't worry, I won't spend the rest of my time speaking in Spanish. But I did want to take a moment to speak directly to the Cuban people to let them know that we stand with them in their fight for freedom and human rights.

We are debating this resolution today under the shadow of the 2nd anniversary of the crackdown on dissidents in Cuba. We often think of an anniversary as a moment to celebrate—but clearly we have nothing to celebrate today. Instead, we use this anniversary to mark a tragedy in the lives of the Cuban people and to the lives of all those who support democracy and human rights in the hemisphere.

The whole world was horrified as more than 75 journalists, human rights activists, and op-

position political figures were arrested, given summary trials, and then sentenced to prison terms of up to 28 years. Many of the prisoners, along with other prisoners of conscience, spent over a year in solitary confinement. Some have been deprived of adequate medical treatment and reports from Cuba detail beatings and harassment.

I am not fooled by the recent release of a number of dissidents, by this attempt to trick the international community. I am not fooled because I know that when they released those dissidents, who should never have been in jail in the first place, they also arrested new dissidents. I am not fooled because I know that they only released these dissidents on "parole," meaning that they could be arrested again at any time.

Hundreds of political prisoners remain in Castro's jails today. Clearly, the Castro regime has no respect for the Universal Declaration of Human Rights, which states in Article 4 that, "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." And the world has recognized these injustices. The State Department calls this wave, "the most despicable act of political repression in the Americas in a decade."

Castro's human rights record has been condemned by Amnesty International, Freedom House, and other human rights groups.

In a statement, Amnesty International said that these "prisoners of conscience" should be immediately released and called on the Cuban regime to, "comply with the principles laid out in international rights standards for the treatment of prisoners."

Freedom House included Cuba in its report entitled, "The Worst of the Worst, The World's Most Repressive Societies, 2004." And the House of Representatives has condemned Castro's human rights record as well, in multiple resolutions. This year, on the two-year anniversary, we are here to pass a resolution that condemns Castro's brutal crackdown and demands that the Cuban regime immediately release all political prisoners, legalize all political parties, labor unions, and the press, and hold free and fair elections.

Today is a time for all of us to come together, from both sides of the aisle, to stand together for a universal cause: human rights.

Today, in voting for this resolution, we will celebrate the strength and perseverance of the Cuban people.

Today, we will vote for the universal values which we all share.

So I call on all of the Members of the House of Representatives to join me in the fight for human rights and democracy for the Cuban people.

Now is the time for us to stand together against brutality, torture and dictatorship.

Now is the time for us to stand together for freedom, for the right to free speech and free association, and for human rights in general.

Now is the time for us to stand together as we call on the Cuban regime to immediately release these prisoners of conscience, who were jailed for standing up for democracy and human rights against a brutal dictatorship.

To my brothers and sisters who suffer in Castro's jails, to their families and friends both here in the United States and Cuba, and to the Cuban people, I say that Castro will not succeed in his vain attempt to suppress the spirit of the Cuban people. I look forward to the day, which is coming soon, when we will

all celebrate a free and democratic Cuba. It is the spirit of the Cuban people and their courage that will ultimately be Castro's downfall.

So, I ask each of you to join me in voting yes for this resolution.

Mr. SMITH of New Jersey. Mr. Speaker, we have no further requests for time.

Mr. LANTOS. Mr. Speaker, we have no additional requests for time, and I yield back the balance of our time.

Mr. SMITH of New Jersey. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BOOZMAN). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 81.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. LANTOS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Con. Res. 81.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

□ 1630

APPOINTMENT OF CONFEREES ON H.R. 1268, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND TSUNAMI RELIEF, 2005

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1268) making emergency supplemental appropriations for the fiscal year ending September 30, 2005, to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, to ensure expeditious construction of the San Diego border fence, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore (Mr. RYAN of Wisconsin). Is there objection to the request of the gentleman from California?

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to instruct.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Obey moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendments, to the bill, H.R. 1268, be instructed to insist on the highest levels of funding within the scope of conference for Customs and Border Protection, Federal Law Enforcement Training Center, and Immigration and Customs Enforcement and to agree to the Senate provision regarding including requests for future funding for military operations in Afghanistan and Iraq in the annual budget of the President.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from California (Mr. LEWIS) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this motion is very simple. It does two things. First of all, it instructs the conferees representing the House to accept the Senate increases in the Byrd and other amendments that would strengthen our customs and border protection; it would strengthen our immigration and customs enforcement and fund the Federal Law Enforcement Training Center.

Secondly, it instructs the conferees to agree with the Senate amendment, again, the Byrd amendment, which would require that all future administration requests for funding the wars in Iraq and Afghanistan be presented within the context of the regular budget rather than being funded as they have been so far through the supplemental process.

Let me address briefly both issues. With respect to the border protection issue, let me point out that many years ago the Rudman-Hart Commission had effectively warned this Congress that our borders were a sieve.

In the immediate days after this House was hit with the anthrax scare, shortly after 9/11, I went down to the White House with the then-chairman of the Committee on Appropriations, the gentleman from Florida (Mr. YOUNG), and we proposed to the President a bipartisan list of supplemental additions to antiterrorist activities that we believe should be funded in order to strengthen homeland security. Included in those recommendations were added dollars for our ports, added dollars for our border protection. When we laid out what we were interested in doing, the President simply ended the conversation by saying to us, "I am sorry but my good friend here, Mitch Daniels," who was then the Director of OMB, he said, "my good friend Mitch Daniels here tells me that the administration has requested more than enough money for Homeland Security. And so I want you to know if you in-

clude one dollar more than we have asked for in our budget submission, I will veto the bill."

That is essentially what he said. Ever since that day, we have been strained in the Congress to overcome the White House's reluctance to provide adequate resources to secure our borders.

I would point out that the PATRIOT Act itself called for a tripling of inspectors and agents on the northern border alone, and yet no Bush administration budget has ever proposed to meet that goal. Only because of congressional insistence have we finally been able to meet that goal, and I would say it has been a long time in coming and it was long overdue.

On March 30 the administration announced that they were putting 500 agents in Arizona, but those agents were not new agents; 135 of them were simply transferred from other sources and the rest of them were simply new trainees to take the place of agents who were retiring or leaving the service. That is why we believe that the added funding provided in the Byrd and other amendments in the Senate to add funds for securing our borders, that is why we believe that money is necessary.

□ 1645

With respect to the second provision, the reason this second provision is necessary is to end the administration practice of hiding the true cost of the war in Iraq. We have spent, to this point, about \$280 billion on that war. CBO estimates that the 10-year cost of our efforts in Iraq and Afghanistan will wind up being about \$460 billion, and yet all of that money has been spent through a supplemental process, rather than the process of having the President submit in his regular budget their estimated cost for those activities for the year.

When you cut through all of the bull gravity, there is only one reason why the White House has done that, because they are trying to obscure the full cost of those military operations.

Now, I would simply remind this House that President Roosevelt included the cost of funding World War II in his 1943 budget request. President Johnson included the cost of paying for the war in Vietnam in his 1966 budget request. President Clinton, at the insistence of this Congress, provided in the regular budget for the costs for financing our Bosnia operations and the enforcement of the no-fly zone edict in the 1997 budget.

People think that the President this year has submitted a budget which contains a deficit of \$390 billion. In fact, that budget deficit does not include \$1 of the more than \$80 billion that this House voted to add to pay for the war in Iraq just a couple of months ago.

So I would say this provision simply is in pursuit of truth in budgeting, and I see no public policy reason why either of these provisions should be resisted. I

ask for a "yes" vote when the vote occurs.

Mr. Speaker, I reserve the balance of my time.

Mr. LEWIS of California. Mr. Speaker, I yield myself such time as I may consume.

I do not intend to use a lot of my time, but I think our public knows that both sides of the aisle, Democratic and Republican sides of the aisle, are struggling with the question of how we provide adequate funding to make certain, absolutely certain, that we are protecting our borders.

Just following 2001, the past administration had difficulty trying to figure out exactly what those costs should be. We should be willing to do whatever is necessary within the limits of what is sensible, to secure those borders.

It is my intention to support that position, and I do not intend to resist this motion to instruct.

Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from California (Mrs. TAUSCHER).

Mr. Speaker, could I inquire, after her 5 minutes, how much time do I have remaining?

The SPEAKER pro tempore (Mr. RYAN of Wisconsin). The gentleman from Wisconsin (Mr. OBEY) will have 18 minutes remaining, and the gentleman from California (Mr. LEWIS) will have 29 minutes remaining.

Mrs. TAUSCHER. Mr. Speaker, I thank the distinguished ranking member for the time.

Mr. Speaker, I rise today in strong support of the gentleman from Wisconsin's (Mr. OBEY) motion to instruct conferees on the emergency supplemental.

This motion declares that all future funding requests for the war in Iraq and Afghanistan should be included in the President's budget, not in emergency supplemental spending bills.

This provision enjoyed wide bipartisan support and was included in the Senate bill. The House needs now to follow this track to fiscal responsibility.

While I support using emergency funds to pay for real emergencies, continued reliance on emergency spending for the war in Iraq and Afghanistan is fiscally irresponsible. Congress should stop bailing out the Pentagon for its inability to pay for the costs in Iraq.

On top of over \$400 billion in defense appropriations every year, Congress has provided \$268.7 billion in emergency supplemental funding for the war in Iraq and the war on terror. The new emergency supplemental will bring total war-related supplemental spending to \$350 billion.

The gentleman from Wisconsin's (Mr. OBEY) motion would not prevent this emergency supplemental from going through, but it would make sure that the administration and the Pentagon, like millions of Americans, budget according to their means. We can afford

to fight and win the war on terror, but the public should not be misled into believing that these costs are an emergency or unexpected or that there is not an imperative for the Pentagon to look at its existing budget and deal with the war inside that budget.

For example, we know that the war in Afghanistan and Iraq operations cost roughly \$6 billion a month. Those costs have been somewhat fixed for well over a year. It is perfectly capable and necessary for the Pentagon to look inside its own operations, find savings and find a way to put this in the budget.

These costs can be planned for and considered by Congress in regular order, instead of saddling our children with billions of dollars of debt and cutting vital domestic programs.

Last February, the gentleman from California (Mr. HUNTER), my friend and colleague and chairman of the House Committee on Armed Services, sent a strong letter to the Committee on the Budget for what he called funding certain items in the supplemental "inappropriate." The gentleman from California (Mr. HUNTER) also agreed with many of us that some supplemental costs should be included in the annual budget process for consideration and action by the Congress.

Not budgeting for the war in the regular Pentagon budget is an abrogation of our responsibilities as stewards of the taxpayers' trust.

I urge support of the Obey motion.

Mr. LEWIS of California. Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Minnesota (Mr. SABO), the ranking member of the Subcommittee on Homeland Security.

Mr. SABO. Mr. Speaker, I thank the gentleman for yielding me time.

I rise in support of the Obey motion to instruct ICE simply needs more money, and I think we all understand that. For some reason, their budget has been in shambles ever since the Department was created. Their bookkeeping has been in shambles more so than their budget, and I am not sure if it is their fault or the fault of the central Department, but it is somebody's fault. It is all screwed up.

It is not because Congress has not provided the money they asked for. Last year, we provided slightly more than they asked for, and so they were in hiring freezes and training freezes and one problem after the other. Now they want to take money away from lots of other good programs to make up for their budget shortfall. We simply need to get ICE's funding straightened out, and this supplemental does it.

The other thing this supplemental does is add border agents. Whatever one's views are on all the controversies relating to immigration and other issues, one thing is evident, and that is, we need to strengthen our law enforcement on our borders, whether it is the northern border or the southern border.

I was out this winter and visited the southern border in California where clearly we have made significant progress; but what seems to happen, we plug a hole someplace and the pressure comes other places. So we need to add border patrol people.

We were told in our committee that they should have the capacity to train about 1,200 people a year; and clearly, this bill provides less than 1,200, but even I think the President's request is an additional 200 for next year. So, clearly, they have the capacity to begin the process of training and hiring additional border patrol agents.

It is not something that happens. You do not say we want more agents and it happens tomorrow. You have to recruit them, you have to hire them, and you have to train them. The need is obvious, I think, to everyone; and this bill clearly moves us in the right direction.

So I hope we adopt the motion to instruct and adopt the policies implemented in the Senate bill on funding for ICE and for border patrol agents.

Mr. LEWIS of California. Mr. Speaker, I yield myself such time as I may consume.

Let me say that I feel this discussion is a very healthy discussion in terms of the preliminary work we have to do here. The most important reason for this supplemental is because in line and waiting are the troops who are representing us so well in the Middle East.

It is critical that we get this bill on to conference and move it quickly to the President's desk. So, today, I would hope with all of our discussion, above and beyond everything else we make every effort to make certain we get this bill to the President as quickly as possible.

Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, could I inquire of the gentleman if he has any other remaining speakers.

Mr. LEWIS of California. Mr. Speaker, I do not.

Mr. OBEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me simply say I think I have already chewed the cud quite enough, and I think anyone who cares to listen understands what this motion does. These motions were accepted by wide margins in the Senate. I see no reason why they cannot be accepted here; and if the gentleman is prepared to yield back, so am I.

Mr. REYES. Mr. Speaker, I rise in strong support of this important motion to instruct conferees on the fiscal year 2005 Supplemental Appropriations bill.

As a Member representing a district on the United States-Mexico border, and as the only Member of Congress with a background in immigration and experience defending our Nation's borders, I have firsthand knowledge of the kinds of resources we need to help keep America safe.

Since coming to Congress I have heard a lot about how we need to crack down on illegal immigration in this country, but seen very

little action when it comes to providing adequate funding for the programs that we know work in dealing with the problem.

Most recently, with the passage of the Intelligence Reform bill, Congress promised to provide funding to hire thousands of new Border Patrol agents and create thousands of beds for immigration detention and removal activities. Unfortunately, however, the President's proposed FY2006 budget falls woefully short of meeting these needs.

During House consideration of the Supplemental Appropriations bill, I offered an amendment to add \$772 million to hire an additional 1,000 Border Patrol agents, provide 8,000 beds for immigration and detention removal operations, and install radiation portal monitors at Ports of Entry. That amendment, which would have provided essential border security funding, was ruled out of order on procedural grounds. Unless we insist on the highest possible levels of funding for border security in this conference, Congress will once again fail to keep its commitment on this vital issue.

Meanwhile, every day foreign nationals from over 150 countries who are here in the United States illegally are being apprehended and turned back out onto our streets because we lack the space to detain them. At the same time, we hear of known terrorists who are training recruits to infiltrate our country in order to do us harm.

Mr. Speaker, the time has long since come to make good on our border security promises—or continue to risk safety of the American people. I urge my colleagues to support Mr. OBEY's motion to instruct.

Mr. ORTIZ. Mr. Speaker, I rise in support of the Obey motion to instruct conferees on H.R. 1268, Wartime supplemental, to insist on the highest possible funding for more border patrol agents and to insist on the Senate provision calling for requests for future funding for military operations in Afghanistan and Iraq to be included in the annual budget of the President.

As a member representing a border community—and a senior member of the House Armed Services Committee—I am grateful for Mr. OBEY's leadership and his work to include these important provisions in our Wartime supplemental. As so many of our colleagues know, I have been lifting my voice to get the word around to members that our border security is profoundly lacking. Members can go to my web page for more information about the dangerous practices ongoing along the U.S. Mexico border.

Currently, the United States does not have room to hold the large number of illegal immigrants—called OTMs, Other than Mexicans—caught by border law enforcement. So we are releasing—on their own recognizance—into the population of the United States—very large numbers of OTMs. Very few released OTMs return for a mandatory deportation, meaning there is a large number of OTMs at large in the U.S., immigrants who have passed through the hands of law enforcement. Border law enforcement officers routinely call the detention centers, discover there is no more room to hold OTMs, so they are processed and released into the general population on their own recognizance.

The OTMs are given a "Notice of appear," paperwork that allows them to travel freely in the United States through the time they are to return for deportation. Law enforcement officers then take the released OTMs to the local

bus station by the vanload, where they head elsewhere in the U.S. The number of "absconders"—those who never appear for deportation—is over 90 percent of those released, a number now estimated to be approaching 75,000. Already the number of OTMs captured and released is more so far this year, then for all of last year.

The Southern Border is being left utterly unprotected, and there is the real possibility that terrorists can—or already are—exploiting this series of holes in our law enforcement system along the southern border. These are the things we know. There is no way of even guessing how many others are entering the country, but who are not passing through the hands of government law enforcement officers, so Mr. OBEY's instructions to our appropriators is extremely timely.

This is a clear and present danger inside the United States, and the number of released illegal immigrants not returning for deportation grows by the hundreds each week. This is willfully ignoring a complex problem that undermines our national objective: to take the war to the enemy so we do not have to fight the war on terror inside our country. It is little wonder that private citizens are taking the law into their own hands to try to stem the tide of OTMs coming into our country. But private militias—operating without the color of law—is not the answer. We must secure our borders so private citizens do not feel the need to do so.

Our budget reflects the values and priorities of the American people. Consider what the 2005 budget did not include:

The Intelligence Reform bill that became law in December, 2004, mandated 10,000 Border Patrol agents over 5 years, 20,000 annually. The President's budget funded 210 BP agents, the senate added 1,050 agents. The House must stand up and add the full 2,000.

Intelligence Reform mandated an increase of 8,000 beds in detention facilities annually for the next 5 years, still not nearly enough to hold all those coming in the U.S. . . . yet the President's budget proposal provides for only about 1,900 new detention space beds—over 6,000 beds short of the congressional mandate passed in December, 2004. We can add all the Border Patrol agents we want, but without a place to hold these OTMs, the problem remains.

Grants to reimburse local law enforcement officers that also hold illegal immigrants for the federal government were slashed, adding to the problem. I was a law enforcement officer in my previous life. If we don't have the border officers to stop the OTMs crossing the border . . . if we don't have the room to hold the ones we catch . . . if we don't put our money where our mouth is, we are sending a dangerous signal to those who may wish to do us harm. Until we send a signal that those who cross our borders illegally . . . until we send a signal that when we catch you we will hold you until you are deported . . . until we honestly face the amount of money it will take to deal with these things, OTMs will continue to flock to the U.S.

We must send that signal today. Homeland security must be about the security of our people and our property, it cannot be budget driven as it is today.

Lastly, as a fiscal conservative and member of the Armed Services committee, I know it is ultimately the responsibility of Congress—not

the Administration—to properly spend money on military operations. To that end, I thank our Ranking Democrat on appropriations for including in this motion a provision requiring future funding for our military operations to be included in the President's budget.

All the money we appropriate here is the people's money and we must be good stewards of it. To rush through special bills to fund the military when committees of jurisdiction have not had the opportunity to review the bills is an abdication of our responsibility.

I encourage the members to support this motion to instruct our conferees on the Supplemental appropriations bill to include funding for border security and to require further military funding requests move through our regular authorization process for the fullest scrutiny by the authorizing committees.

Mr. LEWIS of California. Mr. Speaker, I yield back the balance of my time.

Mr. OBEY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Wisconsin (Mr. OBEY).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. OBEY. Mr. Speaker, I object to the vote on the grounds that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5:30 p.m. today.

Accordingly (at 4 o'clock and 57 minutes p.m.), the House stood in recess until approximately 5:30 p.m. today.

□ 1737

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BIGGERT) at 5 o'clock and 37 minutes p.m.

#### APPOINTMENT OF CONFEREES ON H. CON. RES. 95, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2006

Mr. NUSSLE. Madam Speaker, I ask unanimous consent to take from the Speaker's table the concurrent resolution (H. Con. Res. 95) establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, with a Senate amendment thereto, disagree to the

Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

MOTION TO INSTRUCT OFFERED BY MS. HERSETH  
Ms. HERSETH. Madam Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Ms. Herseht of South Dakota moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the concurrent resolution H. Con. Res. 95 be instructed, to the maximum extent possible within the scope of the conference—

(1) to recede to the following findings of the Senate: (A) Medicaid provides essential health care and long-term care services to more than 50 million low-income children, pregnant women, parents, individuals with disabilities, and senior citizens; and (B) Medicaid is a Federal guarantee that ensures the most vulnerable will have access to needed medical services;

(2) to strike reconciliation instructions to the Committee on Energy and Commerce and recede to the Senate by including language declaring that a reconciliation bill shall not be reported that achieves spending reductions that would (A) undermine the role the Medicaid program plays as a critical component of the health care system of the United States; (B) cap Federal Medicaid spending, or otherwise shift Medicaid cost burdens to State or local governments and their taxpayers and health providers; or (C) undermine the Federal guarantee of health insurance coverage Medicaid provides, which would threaten not only the health care safety net of the United States, but the entire health care system;

(3) to recede to the Senate on section 310 (entitled "Reserve Fund for the Bipartisan Medicaid Commission") of the Senate amendment; and

(4) to make adjustments necessary to offset the cost of these instructions without resulting in any increase in the deficit for any fiscal year covered by the resolution.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from South Dakota (Ms. HERSETH) and the gentleman from Iowa (Mr. NUSSLE) each will control 30 minutes.

The Chair recognizes the gentleman from South Dakota (Ms. HERSETH).

Ms. HERSETH. Madam Speaker, to explain the motion, I yield myself such time as I may consume.

The House-passed budget directs the Committee on Energy and Commerce to cut spending on programs within its jurisdiction by \$20 billion over 5 years. The vast majority of this \$20 billion in spending cuts, if not all of it, will likely fall on Medicaid. I and many of my colleagues in this body strongly oppose this language.

The majority of our counterparts in the Senate apparently share some of our concerns. The Senate approved an amendment by Senators SMITH and BINGAMAN to strike reconciliation instructions in the Senate budget that would have directed the Committee on Finance to cut spending by \$15 billion over 5 years, which all would have been from Medicaid. The Senate amendment